

**DESIGN DEVELOPMENT OPTION (DDO)
APPLICATION**

**FOR
MODIFICATIONS TO BUILDING SETBACKS AND/OR
WALL/FENCE HEIGHT**

September 2008



CITY OF
TUCSON

DESIGN DEVELOPMENT OPTION (DDO) APPLICATION (FOR BUILDING SETBACK AND WALL/FENCE HEIGHT)

This application must be filed at Development Services Department, Public Works Building, Second Floor, 201 North Stone Avenue, Tucson, Arizona. To be accepted for processing, the application must be complete, accurate, and legible and must be accompanied by the appropriate plans, documentation, and fees. Incomplete applications will not be accepted. Please make your check payable to the "City of Tucson."

GENERAL INFORMATION

If you have any questions regarding the application, materials and/or the process, please contact staff for assistance. Call (520) 837-4963 to reach Michael Taku or (520) 837-4962 to reach Frank Podgorski.

Generally, we are in the office and available to assist you in person or via the telephone Monday through Friday from 8:00 a.m. until 5:00 p.m. However, to serve you better, we ask that when possible you call to ensure our availability before stopping by the Development Services Department at 201 North Stone Avenue, Second Floor North.

PLEASE MAKE NOTE OF THE FOLLOWING:

1. A DDO is a request to allow minor changes to the standard requirements that would allow:
(a) a reduced "setback"-the minimum distance between a building and the property line and/or (b) an increase in the height of walls and fences. A DDO cannot waive or delete requirements of the *Land Use Code*.
2. A pre-application meeting with staff is strongly encouraged. This will allow staff an opportunity to review your request before submittal and to determine its appropriateness for the DDO process. Please call to schedule an appointment.
3. All projects must first be submitted for zoning compliance review on the first floor of Development Services Department. For residential projects, comments are written on each of the three (3) required site plans by the land use compliance review staff. For non-residential projects, DDO comments from computerized printout forms attached to the second site review record must be provided.
4. If your project is a 2-Story addition or residence, please note: Applicants must demonstrate to staff how LUC sections 5.3.4.3 F, H, I, K, M and N are satisfied. DDO is only used to implement alternate design solutions, not to allow larger structures in predominately one-story neighborhoods.
5. If the requested building setback modification is three (3') feet or less, Residential Inspector stamp/approval on each of the three (3) site plans is required
6. Application submittals are BY APPOINTMENT ONLY. Please allow up to 15 minutes for staff to review your application for completeness and acceptance. You MAY NOT drop-off your application.

Mailing Address: Development Services Department
P. O. Box 27210
Tucson, AZ 85726-7210
Phone: (520) 791 5550

Location: Public Works Building
201 N. Stone Ave
Fax: (520) 791-5852

DESIGN DEVELOPMENT OPTION (DDO) FOR BUILDING SETBACK AND WALL/FENCE HEIGHT

SUBMITTAL CHECKLIST

A complete Design Development Option submittal must contain all of the items listed below. Please review this checklist to make sure your submittal is complete. Incomplete submittals will be returned to the applicant/agent/owner. Submittals are accepted by appointment only.

- ___ Submittal Appointment: Contact Michael Taku at (520) 837-4963 or Frank Podgorski at (520) 837-4962 to schedule an appointment.
- ___ Final LUC Compliance (Zoning) Review Comments.
- ___ 1 Application Form (completed in full, signed by the property owner and/or agent).
- ___ 1 Application Attachment Information. (Project Narrative & DDO Request).
- ___ 3 Copies of the site plan* with final LUC Compliance (Zoning) Review Comments.
- ___ 3 Copies of the elevation drawings* for existing residence and new addition(s).
- ___ 1 Copy of Site Plan and Elevation Drawing (11"x17") for attachment in email responses.
- ___ 1 Copy of floor plan* for existing residence with new addition(s).
- ___ 1 Copy of the Pima County Assessor Property Inquiry. (You must get the current copy from Pima County Assessor's Office, 115 North Church Avenue).
- ___ 1 Copy of the Pima County Assessor Record Map. (You must get the current copy from Pima County Assessor's Office, 115 North Church Avenue).
- ___ Filing fees: Make check payable to the City of Tucson.

*Folded To City Standards. See attached instructions for folding.

The City of Tucson Development Services Department Land Use Code Administration Division is located on the Second Floor, north side of 201 North Stone Avenue in Tucson, AZ. The mailing address is P.O. Box 27210, Tucson, AZ 85726-7210. To reach the department operator, dial (520) 791-5550 and select '0'. Fax: (520) 791-5852.

Date submitted: _____ Date accepted: _____ Case Number: _____

DESIGN DEVELOPMENT OPTION APPLICATION

Please assist us in processing your application by submitting a complete, accurate and legible application accompanied by the appropriate plans, documentation and fees.

PROJECT TYPE (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> New building on vacant land | <input type="checkbox"/> New building on developed land |
| <input type="checkbox"/> New addition to existing building | <input type="checkbox"/> Change of Use to existing building |
| <input type="checkbox"/> Existing building needs permits | <input type="checkbox"/> Modification to façade of existing building |

☐ Other (Explain) _____

Related Project Case Number(s): _____

(For example: Board of Adjustment, Community Design Review Committee, Design Review Board, Historic Preservation Zone, etc.)

PROPERTY INFORMATION

Property Owner: _____ Zoning of Property: _____
(R-1, SH, C-2, I-Authorized etc.)

Project Address: _____ Zip Code: _____

Proposed Use (Be specific): _____

Number of Existing Buildings: _____ Number of Stories: _____ Height: _____

Square Footage of Property: _____ Property Tax ID Number: _____

Legal Description of Property: _____

APPLICANT INFORMATION

Agent/Applicant: _____

Address: _____ Zip Code: _____

Phone: () _____ - _____ Fax: () _____ - _____

Property Owner/s: _____

Address: _____ Zip Code: _____

Phone: () _____ - _____ Fax: () _____ - _____

Signature of Owner: _____ Date: _____

Signature of Applicant/Agent: _____ Date: _____

Use the space below and/or attach a one or two page narrative to adequately describe the project and each of the requested Design Development Options (DDO). Please note that your application will be evaluated based on compliance with the attached DDO findings per LUC Section 5.3.4.3.

This image shows a single page of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

SECTION 5.3.4.3 “DDO FINDINGS”

Findings for Approval. The Development Services Department Director may approve a modification to a Development Designator requirement as provided by this Section, if all the following findings are made. (Ord. No. 9967, §5, 7/1/04)

- A. The modification is not a request previously denied as a variance. (Ord. No. 9179, §1, 12/14/98)
- B. The modification is to a Development Designator provision and not to performance criteria that apply to the use within the zone, i.e., a setback requirement greater than required under the Development Designator provisions for the land use.
- C. The modification is to the Development Designator provisions and not to performance criteria required of a Special Exception Land Use in order for such use to be allowed in the zone, i.e., a building height less than required under the general provisions of the zone.
- D. The modification is not to a requirement of an overlay zone, such as, but not limited to, Scenic Corridor, Environmental Resource, Major Streets and Routes Setback, or Airport Environs.
- E. The modification is not to a setback requirement of a Residential Cluster Project (RCP). The RCP already provides less stringent standards than those applicable to other development.
- F. The modification applies to property that cannot be developed in conformity with the provisions of this Chapter due to physical circumstances or conditions of the property, such as irregular shape, narrowness of lot, or exceptional topographic conditions.
- G. The modification does not delete or waive an *LUC* requirement but provides an alternate solution.
- H. The modification does not create a situation where the proposed development substantially reduces the amount of privacy which would be enjoyed by nearby residents any more than would be available if the development was built without the modification.
- I. The modification does not create a situation where proposed development will obstruct significant views of dramatic land forms, unusual stands of vegetation, or parks from nearby properties substantially more than would occur if the development were built without the modification.
- J. The modification does not create a situation where proposed development will block visibility on adjoining streets for either vehicular or pedestrian traffic.
- K. The modification does not create a situation where the proposed development will interfere with the optimum air temperature/solar radiation orientation of buildings on adjoining properties substantially more than would occur if the buildings or structures were built without the modification.

- L. The modification does not create a situation where the proposed use of the property will impose objectionable noise levels on adjoining properties greater than would occur if the buildings or structures were built without the modification.
- M. The modification is designed to mitigate any negative impacts that may be created by the modification.
- N. The modification does not create a situation where the development will result in an increase in the number of residential dwelling units or the square footage of nonresidential buildings greater than would occur if the development was built without the modification.
- O. The modification does not reduce the setback from a street to less than is allowed under the provisions of Sec. 3.2.6.5.B.
- P. The modification is not for an increase in height of more than two (2) feet to an accessory wall or fence, except that an increase of up to four (4) feet may be considered for entry features on walls and fences.

FEE SCHEDULE FOR DESIGN DEVELOPMENT OPTION (DDO) APPLICATIONS

DDO Fees

A) Residential Projects:

1. DDO for one (1) setback

a. Staff Review Per Single Family Lot.....	\$ 160.00
b. Neighborhood Notice.....	\$ 75.00
c. Microfiche Fee	<u>\$ 15.00</u>
Total Fees	\$ 250.00

DDO for one (1) setback

a. Staff Review Per Multifamily Unit (Duplex).....	\$ 320.00
b. Neighborhood Notice.....	\$ 75.00
c. Microfiche Fee	<u>\$ 5.00</u>
Total Fees	\$ 410.00

2. DDO for two (2) or more setbacks

a. Staff Review Per Single Family Lot	\$ 224.00
b. Neighborhood Notice.....	\$ 75.00
c. Microfiche Fee	<u>\$ 15.00</u>
Total Fees	\$ 314.00

DDO for two (2) or more setbacks

a. Staff Review Per Multifamily Unit (Duplex)	\$ 320.00
b. Neighborhood Notice.....	\$ 75.00
c. Microfiche Fee	<u>\$ 15.00</u>
Total Fees	\$ 410.00

B) Non-Residential Projects (Triplex and above, Commercial, Industrial):

1. DDO for one (1) setback

a. Staff Review Per Single Structure On One Lot	\$ 160.00
b. Neighborhood Notice.....	\$ 75.00
c. Microfiche Fee	<u>\$ 15.00</u>
Total Fees	\$ 250.00

2. DDO for two (2) or more setbacks

a. Staff Review Per Single Structure On One Lot	\$ 224.00
b. Neighborhood Notice.....	\$ 75.00
c. Microfiche Fee	<u>\$ 15.00</u>
Total Fees	\$ 314.00

DDO for two (2) or more setbacks

a. Staff Review Per Multifamily Unit (Duplex).....	\$ 320.00
b. Neighborhood Notice.....	\$ 75.00
c. Microfiche Fee	<u>\$ 15.00</u>
Total Fees	\$ 410.00

C) Landscaping/Screening and Parking Design Substitutions

a. Staff Review Per Single Family Unit.....	\$160.00
b. Notification of Property Owners & Neighborhood Association Within 50' Of Project Site.....	\$ 75.00
c. Microfiche Fee	<u>\$ 15.00</u>
Total Fees	\$ 250.00

D) Wall and Fence Height Modification

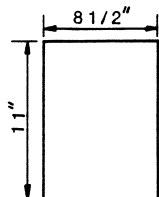
a. Staff Review Per Lot	\$ 200.00
b. Neighborhood Notice.....	\$ 75.00
c. Microfiche Fee	<u>\$ 15.00</u>
Total Fees	\$ 290.00

Note: Fees can be paid by checks, made payable to the City of Tucson, cash or credit card.

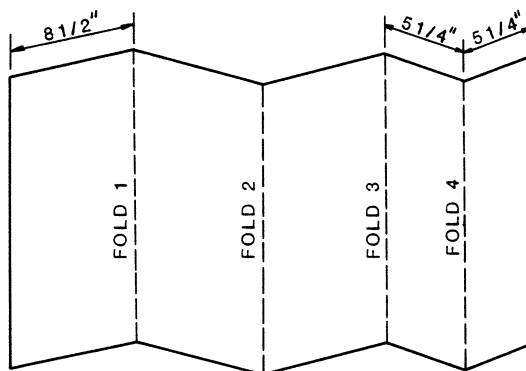
INSTRUCTIONS FOR FOLDING PLANS TO ACCEPTABLE CITY STANDARDS OF (8 1/2" X 11")

STEP 1

Using an 8 1/2" X 11" size sheet of paper as a guide, make folds 1, 2, and 3.



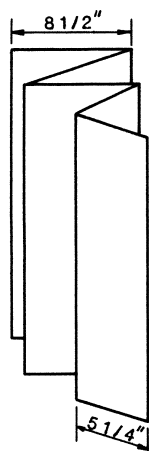
This instruction sheet is 8 1/2" X 11" size.



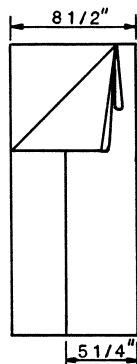
STEP 2

Fold the remaining 10 1/2" in half; this completes fold number 4.

STEP 3

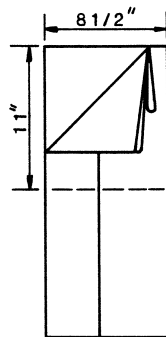


With the 5 1/4" fold to the right



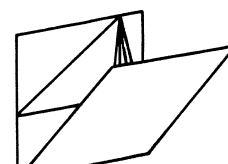
Fold down the corner, all but the last panel.

STEP 4

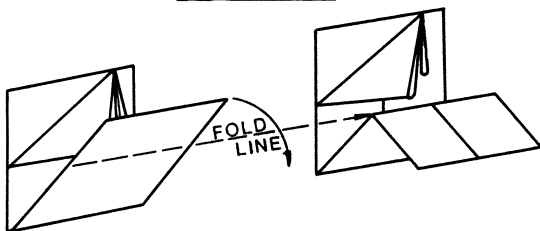


FOLD LINE

Fold the lower portion up.

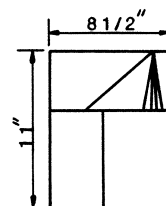


STEP 5



Fold the front part in half.

STEP 6



The folded print should be 8 1/2" X 11".

EXPLANATION OF ITEMS

INTRODUCTION

The following explanations will provide the information needed to complete the Design Development Option (DDO) Application for Building Setbacks and Wall/Fences Height modification submittal requirements in a manner that staff will deem acceptable for processing. Please read the explanations thoroughly and follow them exactly as provided. If you vary from any of these explanations you run the risk of having your application submittal rejected by staff. If you have any questions regarding this application process, call Development Services Department (DSD) Land Use Compliance Administration Division staff at 520 837 4963 or 520 837 4962 and ask for help.

EXPLANATIONS (Listed Alphabetically)

APPEAL OF DDO DECISION: The decision rendered by the Development Services Department may be appealed to the Board of Adjustment (B/A) by a party of record (appellant). A written notice of “intent to appeal” must be submitted by the appellant to LUC Administration Division within five (5) days of the DDO decision date. The appeal application materials, including relevant fees, must be filed with LUC B/A Section staff within thirty (30) days of the DDO decision date. For more information on the DDO Appeal application process contact LUC Administration B/A Section staff at 837-4948 within five (5) days of the DDO decision date.

APPLICATION FORM: The Design Development Option (DDO) application forms must be completed in their entirety and signed by property owner or authorized agent. If signed by an agent please include a letter from the property owner authorizing the agent to act on their behalf. If you have any questions on completing this form just call staff.

BOARD OF ADJUSTMENT (B/A): The Board of Adjustment (B/A) is established to hear and decide a variety of land use issues as provided by in the *Land Use Code (LUC)*, including appeals to Design Development Option (DDO) decisions rendered by the Director of the Development Services Department. The B/A is a semi-judicial body comprised of lay people appointed by the Mayor and Council. Decisions by the Board of Adjustment (B/A) can be appealed to Pima County Superior Court. Given the legal nature of this zoning process it is important that the appellant follow the submittal steps exactly as provided in the appeal packet.

DDO SUBMITTAL ITEMS: Refer to the DDO checklist for submittal requirements.

DDO APPLICATION FEES: Refer to current fee schedule.

ELEVATION DRAWINGS: For modifications to the setback, building height and fence/wall height, include elevation plans for the sides affected by the new addition(s).

FINAL LUC (Zoning) COMPLIANCE REVIEW COMMENTS: Comments must be written on each of the three (3) required site plans by review staff.

FINAL LUC COMPLIANCE REVIEW COMMENTS: Submit detailed site, elevation, and floor plans (if applicable) for compliance review to Development Services Department (DSD), First Floor City/County Public Works Building, 201 N. Stone Avenue. The initial compliance review will result in a set of preliminary comments from various staff, which identifies *Code*

deficiencies applicable to the project. Revise the plans per the comments and resubmit per the usual plan review submittal process. To obtain final *LUC* review comments, for the DDO application, provide Zoning Review staff with three (3) copies of the revised plans. Zoning Review staff will write the DDO comments directly on these plans.

Note: Filing a DDO application prior to obtaining “Final” LUC compliance review comments could delay plan approval, should additional LUC deficiencies become noted during subsequent reviews.

FLOOR PLANS: All submittals that include modifications to residential and non-residential projects must include floor plans.

HISTORIC PRESERVATION OVERLAY ZONE: The Historic Preservation Zone (HPZ) process reviews all projects located within a local HPZ for compliance with the LUC Section 2.8.8 and the design criteria established in DS 9.02, 9.03 and 9.05. If your project is located within a local HPZ, the building setbacks and wall/fence height may be waived through the Historic Preservation Zone review process, instead of the DDO process.

NOTICE TO AFFECTED PARTIES (OPTIONAL): Although this step is optional, staff strongly encourages the applicant to send a notice and offer to meet with the parties affected by the DDO request, prior to submitting the DDO application. The affected parties include: owners of real property within fifty (50') feet of the project site boundaries; representatives of the registered Neighborhood Association in whose boundaries the site is located; and, the Council Office in whose Ward the site is located. Contact DDO staff for information on obtaining mailing labels.

This notice and meeting is an opportunity to explain the project to the affected parties. The notice should contain the following information: the project location; the nature of the project; the design/modification options being requested and why the design/modification option is needed; the date, time and place of the onsite meeting; and, the agent or property owners name and phone number or other contact information.

PIMA COUNTY ASSESSOR'S PROPERTY INQUIRY AND LOT/RECORD MAP: The application submittal must include a copy of the project site Property Inquiry and Lot and Record Map. Both are available at the Pima County Assessor's Office for a small fee. The Assessor's Office is located at 115 North Church and is east of City Hall. Or you may download the information from the Assessor's Office website: www.asr.pima.co.az.us

- If your site includes more than one parcel, the printout for each parcel must be included.
- The property Inquiry and record map must match what is shown on the site plan.
- You must also include the adjacent property printouts for any property to that is under the same ownership as the site.
- The Property Inquiry verifies for staff the current ownership of the property.
- The Lot and Record Map verifies for staff the current configuration of the property.

Important Note: Substitute documents obtained from sources other than the Assessor's Office will not be accepted by DSD Land Use Compliance Administration staff. Property Inquiry printouts and Record Maps more than six months old will not be accepted.

PRE-APPLICATION REVIEW: Potential Design Development Option (DDO) applicants are strongly encouraged to meet with staff before submittal. This meeting is to allow staff an opportunity for a preliminary review of the proposed substitution to determine if it is applicable for the DDO process.

PRELIMINARY LUC COMPLIANCE REVIEW COMMENTS: When you first submit your plans for *LUC* compliance review, staff will generate comments requesting additional information (e.g. dimensions, calculations, notes, etc.). This additional information is necessary for staff to correctly identify all land use regulations applicable to the project.

Note: Preliminary written comments or informal notes on the plans are not acceptable in the Design Development Option process.

SITE PLAN: The site plan must be the same detailed plans reviewed by DSD for the LUC compliance review process. Staff must be notified if the site plan submitted with the application is different from the site plan submitted to generate the final LUC compliance review comments.

When in doubt, call DSD Land Use Compliance Administration Staff at (520) 837-4963 or (520) 837- 4962.

REMEMBER ALL SUBMITTALS ARE FILED BY APPOINTMENT ONLY WITH THE
LAND USE COMPLIANCE ADMINISTRATION STAFF,SECOND FLOOR- NORTH, 201 N.
STONE AVENUE